Army Lifton

Mr. Guy B. Oldaker, Chief
Records Management Division
Office of the Adjutant General
Department of the Army
Washington, D.C. 20310

3/14/81

Dear Mr. Oldaker,

DAAG - AMR -S

In your letter that bears no date, received recently, you state you did not refer my request to MDW because "files disposition would have long ago required that files from that period be either destroyed or retired to an area designated for that purpose."

Recently I have reviewed some 6,000 pages of Department of Justice records pertaining to the non-destruction and preservation of records of historical importance, as any records pertaining to the assassination of a President indubitably are. It is my impression that law and regulation prohibit the destruction of any such records. If records have been transferred elsewhere, I believe that practise under FOIA required referral to that agency, which then is required to regard the referral as a request of that agency. I therefore again request that you make proper referral to ~~XXXXX~~ MDW,

I thank you for the information regarding the House committee. I regret very much that, with this knowledge, you did not conform to the Attorney General's instructions and forward my request to the proper person in Army intelligence. This would have greatly expedited the matter, the intent of the Act, and could have provided more information than I can provide.

While I think I understand what you intend to say with regard to communications with the House committee, what you actually say in your fourth paragraph is that investigative files are not releasable without the written permission of the chairman of a non-existing congressional committee, an impossible situation. Also, investigative files most definitely are releasable unless they are within an exemption and inappropriate for discretionary release. In addition, existing records, even if provided to a Congressional committee, are not within any exemption because they were provided to any committee.

You say you made inquiries of several agencies. I thank you for this. I would ask, please, that you refer my requests to those unidentified agencies so that they may provide any information they may have, or make referral themselves to those areas where pertinent records may have been retired. I will send a copy of this letter as you suggest, to DAMI - CIS, but I request that you also forward anything than may assist that office.

Sincerely,

Harold Weisberg